

REMARKS

Claims 1-6 are pending in the present application. Claim 1 has been amended. No claims have been added. Support for the amendment to claim one may be found throughout the specification as originally filed, for example at paragraphs 0004, 0037, 0083, and 0098. Claim 1 is the only independent claim.

Claims 1-3, 5 and 6 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over U.S. Patent No. 6,15 1,588 to Tozzoli *et al.* (“Tozzoli”) in view of *Retail Decision and I4 Commerce Form Alliance to Provide the Bill Me Later Payment Option for LiveProcessor Users*, Business Wire (“Business Wire”). Claim 4 stands rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Tozzoli in view of Business Wire in further view of U.S. Patent No. 6,539,360 to Kadaba (“Kadaba”).

Applicant respectfully submits that the claims patentable define over the cited references because the cited references do not teach or suggest a door-to-door parcel delivery information exchange system capable of simultaneously grasping the transaction state of the commodity by the parties involved in the commodity transaction, ***by mutually exchanging the transaction state*** of the commodity on a network, where delivery state information includes ***a moving state of being in the vicinity of an intersection, and in the vicinity of a building***, and where an order receiver then ships the commodity to a user of the receiver side terminal before confirming payment with the receiver side terminal and a processing means ***that receives information that a payment in accordance with a billing amount is completed to avoid suffering a loss due to duplicate payments at payment on delivery***, as claimed.

First, the cited references do not teach or suggest delivery state information that includes ***a moving state of being in the vicinity of an intersection, and in the vicinity of a building***, as claimed. Applicant submits Tozzoli’s system does not describe a granularity of information to include a moving state of being in the vicinity of an intersection, and in the vicinity of a building. Business wire does not address a moving state at all. Kadaba’s system processes packages designated for special handling and notifies an appropriate party as to whether special handling has been applied to these designated packages (Kadaba, 1:7-10). Kadaba does not address a moving state, as claimed, either.

Furthermore, the cited references do not teach or suggest an order receiver then ships the commodity to a user of the receiver side terminal before confirming payment with the receiver side terminal and a processing means *that receives information that a payment in accordance with a billing amount is completed to avoid suffering a loss due to duplicate payments at payment on delivery*, as claimed. The Office Action acknowledges that Tozzili fails to disclose an order receiver then ships the commodity to a user of the receiver side terminal before confirming payment with the receiver side terminal. Likewise, Applicant submits that Tozzili does not disclose a processing means that receives information that a payment in accordance with a billing amount is completed *to avoid suffering a loss due to duplicate payments at payment on delivery*. Business Wire's system enables a "Bill Me Later" processing system. However, business wire does not disclose a system in which a processing means, as claimed, receives information that a payment in accordance with a billing amount is completed *to avoid suffering a loss due to duplicate payments at payment on delivery*. Applicant submits that Kadaba's special handling processing system is not relevant to this feature at all.

Accordingly, for at least the foregoing reasons, Applicant respectfully submits that the claims patentably define over the cited art. Applicant respectfully submits that the present application is in condition for allowance and requests reconsideration of the application and a Notice of Allowance for claims 1-6.

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